

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

On this the 3<sup>rd</sup> day of November, 2006 the City Council of the City of Aransas Pass convened in a Special Called Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Jesus R. Galvan Mayor  
Dorothy Roberts Mayor Pro Tempore  
Frank Hametner, Council Member  
Grace Chapa, Council Member  
Tommy Knight, Council Member

ABSENT: None.

ADMINISTRATIVE  
PERSONNEL PRESENT: Scott Thompson, City Manager  
Allen Lawrence, City Attorney  
Ada Owens, City Secretary

ADMINISTRATIVE  
PERSONNEL ABSENT: None.

STAFF PRESENT: Judge Mike Sullinger Judge, Municipal Court  
Darrell Jones, Police Chief  
Darren Gurley, Public Works Director  
Frank Truitt, City Inspector

OTHERS PRESENT: Jay Masterson, Irene Irey, Nancy and Bill Allen, Jim & Alpha Covington,  
Nick & Polly Mirkovich, Adam Chapa, James Redmond, Ann Melton,  
J.M. Alton, Don and Bunny Williams, Tensha Keiser, and LuLu Spriggs.

(There may have been others present who did not sign in).

**ITEM 1. CALL MEETING TO ORDER.**

Mayor Galvan called the meeting to order at 6:00 p.m. on November 3, 2006.

**ITEM 2. DISCUSS AND ACT ON A CONTRACT WITH BICKERSTAFF HEATH POLLAN AND CAROOM TO PROVIDE LEGAL SERVICES TO THE CITY RELATED TO ANY LITIGATION OR CHALLENGES TO THE CITY'S CONTRACT WITH ARANSAS PASS DEVELOPMENT GROUP OR REGARDING THE "CONN BROWN HARBOR PROJECT".**

A motion was made by Council member Chapa, seconded by Council Member roberts to approve hiring the firm of Bickerstaff, Heath, Pollan, and Caroom to provide legal services to the City related to any litigation or challenges to the City's contract with Aransas Pass Development Group or regarding the "Conn Brown Harbor Project". Upon vote, the motion carried unanimously.

**ITEM 3. RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.**

**A. SECTION 551.071 CONSULTATION WITH ATTORNEY, LAND ACQUISITION AND CONVEYANCE: ACQUISITION AND LEASE OF REAL PROPERTY FROM GENERAL LAND OFFICE. CONVEYANCE OF LAND BY THE CITY TO THE GENERAL LAND OFFICE.**

**B. SECTION 551.072 DELIBERATION REGARDING REAL PROPERTY. CONN BROWN HARBOR AND CONTRACT WITH ARANSAS PASS DEVELOPMENT GROUP. POSSIBLE LITIGATION.**

Council convened into Executive Session at 6:05 p.m.

Reconvened into Open Session at 6:52 p.m.

**ITEM 4.**

**A. SECTION 551.071 CONSULTATION WITH ATTORNEY, LAND ACQUISITION AND CONVEYANCE: ACQUISITION AND LEASE OF REAL PROPERTY FROM GENERAL LAND OFFICE; CONVEYANCE OF LAND BY THE CITY TO THE GENERAL LAND OFFICE; AND ACT ON CONTRACT WITH THE TEXAS GENERAL LAND OFFICE FOR THE CITY OF ARANSAS PASS TO ACQUIRE AND TO LEASE CERTAIN REAL PROPERTY FROM THE GENERAL LAND OFFICE AND TO CONVEY CERTAIN REAL PROPERTY OWNED BY THE CITY OF ARANSAS PASS TO THE GENERAL LAND OFFICE. THE PROPERTY TO BE ACQUIRED AND/OR LEASED BY THE CITY IS FOR DEVELOPMENT AS PART OF A MULTI-PHASE MARINA, HOTEL AND MIXED-USE WATERFRONT PROJECT, SOMETIMES REFERRED TO AS THE "CONN BROWN HARBOR PROJECT".**

**B. SECTION 551.072 DELIBERATION REGARDING REAL PROPERTY. CONN BROWN HARBOR AND CONTRACT WITH ARANSAS PASS DEVELOPMENT GROUP. POSSIBLE LITIGATION.**

A motion was made by council member Roberts, seconded by Council Member Chapa to approve the acquisition and lease of real property from the General Land Office subject to the court lifting the injunction and allowing the Mayor to execute the contract. Upon vote, Council Members Roberts, Chapa, and Mayor Galvan voted for the motion. Council Members Hametner and Knight voted against the motion and the motion carried by a vote of 3 to 2.

**ITEM 5.**

**ADJOURNMENT OF MEETING.**

Mayor Galvan adjourned the meeting at 6:55 p.m.

ATTEST:

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Jesus Galvan, Mayor

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Gretchen Black, Recording Secretary